

ARS ☐ **NIFA** ☐ **ERS** ☐ **NASS**

Bulletin

Title: Use of Prior Fiscal Year Appropriations under the American Recovery and Reinvestment Act

Number: 10-156

Date: October 12, 2010 **Expiration:** Until Rescinded

Originating Office: Facilities Division

Distribution: ARS Area Directors, Deputy Area Directors, Area Budget and Fiscal Officers

This bulletin provides policy and guidance on the use of Prior year American Recovery and Reinvestment Act Funds.

A. INTRODUCTION

In fiscal year (FY) 2009 Agricultural Research Service (ARS) received \$176 million funding through the American Recovery and Reinvestment Act (ARRA) to address critical deferred maintenance at ARS locations throughout the country. The majority of those funds were obligated prior to September 30, 2010, and the remainder has been placed in a prior year (PY) account to address within scope changes to contracts until expended.

B. POLICY

Policy and procedure (P&P) number 323.8 dated September 16, 1999 “Use of Prior Fiscal Year Appropriations” provides guidance on appropriate use of PY funds and provides specific information related to facilities contracts. In part, the P&P reads “PY funds may be used to cover conditions related to the site or existing structure, which were unknown at the time the original contract was signed and when conditions must be corrected or addressed in order to complete the work originally described in the contract.” Those same guidelines apply to the use of ARRA funding to modify those contracts originally awarded with ARRA funds. All request for use of PY ARRA funding, regardless of amount, must be approved by the Director of the Facilities Division.

Modifications to ARRA funded contracts at the Eastern Regional Research Center, Western Regional Research Center, National Center for Agricultural Utilization Research, Jamie Whitten Delta States Research Center, and Beltsville’s Building 306 managed by the Facilities Division will be funded using Buildings and Facilities (B&F) funds previously appropriated for those specific projects. The request for release of these funds from the Budget and program Management staff will follow the normal B&F process.

C. GUIDELINES

All request for PY ARRA funding shall be in accordance with guidance contained in P&P 323.8, titled “Use of Prior fiscal Year Appropriations (ARS),” dated September 16, 1999 and shall be submitted in the same format as Exhibit 1 of that P&P. In the subject line, include the “ARRA” designation. Requests will be submitted through Patrick G. Barry, Director, Facilities Division, with copies to Donald Jones and Brenda Wood. The Facilities Division will forward approved requests to the Financial Management Division for certification of funds. Request must include adequate justification for the need for the contract modification and use of ARRA funding.

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